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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA1  
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VICTOR RUIZ,

Plaintiff,

v.  
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ELKO COUNTY JAIL,

Defendant.

Case No.: 3:23-cv-00297-MMD-CLB

## ORDER

(ECF No. 1)

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On June 20, 2023, pro se plaintiff Victor Ruiz, an inmate at Elko County Detention  
Center (“ECDC”), submitted a civil-rights complaint under 42 U.S.C. § 1983 and applied  
to proceed *in forma pauperis*. (ECF Nos. 1, 1-1). The application to proceed *in forma  
pauperis* is incomplete because **Plaintiff failed to include both a completed financial  
certificate and an inmate trust fund account statement for the previous six-month  
period with the application**. If Plaintiff has not been at ECDC for a full six-month period,  
he must still submit a financial certificate and an inmate account statement for the dates  
he has been at the facility.17  
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The United States District Court for the District of Nevada must collect filing fees  
from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights  
action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See *id.*  
at § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to  
the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an  
inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the  
following documents to the Court: (1) a completed **Application to Proceed *in Forma  
Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly  
signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is  
page 4 of the Court’s approved form, that is properly signed by both the inmate and a  
prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account  
statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev.

1 Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her  
2 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.  
3 See 28 U.S.C. § 1915(b).

4 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)  
5 is denied without prejudice.

6 It is further ordered that Plaintiff has **until Tuesday, September 12, 2023**, to either  
7 pay the full \$402 filing fee or file a new fully complete application to proceed *in forma*  
8 *pauperis* with all three required documents: (1) a completed application with the inmate's  
9 two signatures on page 3, (2) a completed financial certificate that is signed both by the  
10 inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account  
11 statement for the previous six-month period.

12 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
13 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
14 to refile the case with the Court, under a new case number, when Plaintiff can file a  
15 complete application to proceed *in forma pauperis* or pay the required filing fee.

16 The Clerk of the Court is directed to send Plaintiff Victor Ruiz the approved form  
17 application to proceed *in forma pauperis* for an inmate and instructions for the same and  
18 retain the complaint (ECF No. 1-1) but not file it at this time.

19 DATED THIS 14th day of July 2023.  
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UNITED STATES MAGISTRATE JUDGE  
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